

(A)

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION

**FILED**  
JAN 25 2008 NF

**MICHAEL W. DOBBINS**  
CLERK, U.S. DISTRICT COURT

MARK CHURCH,

Plaintiff,

v.

AVAYA CORPORATION, a foreign  
Corporation,

Defendants

No. 08 C 47

Judge Virginia M. Kendall

Magistrate Judge Cox

**NOTICE OF FILING**

To: David M. Holmes  
Bryan J. Johnson  
Wilson, Elser, Moskowitz, Elderman & Dicker, LLP  
120 North LaSalle Street  
Chicago, Illinois 60602-2412

Please take notice that on January 25, 2008, I caused to be filed with the Clerk of Court for the United States District Court for the Northern District of Illinois, Eastern Division, located at 219 S. Dearborn Street, Chicago, Illinois, 20<sup>th</sup> Floor, a true and correct copy of the enclosed ***Appearance*** and ***Plaintiff's Rule 41(a)(1) Notice of Voluntary Dismissal***, copies of which is attached hereto and served upon you.

Respectfully Submitted,

MARK CHURCH

By: \_\_\_\_\_

One of its attorneys.

Kenneth J. Merlino, Esq.  
Merlino Law Offices, P.C.  
1275 Rosedale  
Hoffman Estates, Illinois 60169  
Tel: (847) 567-5796  
Fax: (866) 596-6685  
Attorney # 42276

**CERTIFICATE OF SERVICE**

Undersigned certifies under penalty of perjury, that on January 25, 2008, this Notice and the enclosed Plaintiff's Appearance and Rule 41(a)(1) Notice of Voluntary Dismissal, were caused to be served by mailing a copy to each person to whom it is directed before 5:00 p.m., and electronic copies were also served this day before 5:00 p.m.

\_\_\_\_\_

(A)

FILED

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS JAN 25 2008 NF  
EASTERN DIVISION

MARK CHURCH,

Plaintiff,

v.

AVAYA CORPORATION, a foreign  
Corporation,

Defendants

MICHAEL W. DOBBINS  
CLERK, U.S. DISTRICT COURT

No. 08 C 47

Judge Virginia M. Kendall

Magistrate Judge Cox

**Plaintiff's Rule 41(a)(1) Notice of Voluntary Dismissal**

The Plaintiff MARK CHURCH, by and through his counsel Merlino Law Offices, P.C., hereby files this Notice of Voluntary Dismissal, dismissing this case *without prejudice*, pursuant to Rule 41(a)(1) of the Federal Rules of Civil Procedure.

Respectfully Submitted,

MARK CHURCH

By:

  
One of his attorneys.

Kenneth J. Merlino, Esq.  
Merlino Law Offices, P.C.  
206 N. Douglas Ave.  
Arlington Heights, Illinois 60004  
Tel: (847) 567-5796  
Fax: (866) 596-6685  
Email: [kjmlaw@comcast.net](mailto:kjmlaw@comcast.net)

Counsel for Plaintiff Mark Church